

MESSAGE NO: 6054111

MESSAGE DATE: 02/23/1996

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: COR

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE MESSAGE #
(s): 6279111

CASE #(s): A-570-838

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/23/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: HONEY FROM THE PEOPLE'S REPUBLIC OF CHINA

MESSAGE NO: 6054111

DATE: 02 23 1996

CATEGORY: ADA

TYPE: COR

REFERENCE: 6279111

REFERENCE DATE: 10 06 1995

CASES: A - 570 - 838

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PERIOD COVERED: 02 23 1996 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: HONEY FROM THE PEOPLE'S REPUBLIC OF CHINA

1. THESE INSTRUCTIONS ARE IN REFERENCE TO THE SUSPENDED ANTIDUMPING INVESTIGATION ON HONEY FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (CASE NUMBER A-570-838) AND SHOULD SUPERSEDE E-MAIL MESSAGE 6279111 ON OCTOBER 6, 1995. PLEASE DRAW YOUR ATTENTION TO NEW INSTRUCTIONS IN PARAGRAPHS 2 AND 4.
2. SUSPENSION OF ANTIDUMPING INVESTIGATION:

DEPARTMENT) SUSPENDED THE ANTIDUMPING INVESTIGATION ON HONEY FROM THE PRC (SEE FEDERAL REGISTER 42521, AUGUST 16, 1995).

ALL IMPORTS OF SUBJECT HONEY EXPORTED DIRECTLY FROM THE PRC, EXPORTED FROM THE PRC THROUGH ONE OR MORE THIRD COUNTRIES, OR EXPORTED FROM A COUNTRY OTHER THAN THE PRC THAT RESULTED IN AN ARRANGEMENT INVOLVING THE EXCHANGE, SALE, OR DELIVERY OF HONEY PRODUCTS FROM THE PRC ARE NOW SUBJECT TO PRICE AND QUANTITATIVE LIMITATIONS PURSUANT TO A SUSPENSION AGREEMENT (AGREEMENT) BETWEEN THE DEPARTMENT AND THE GOVERNMENT OF THE PRC.

IN ADDTION, ALL BLENDS OF SUBJECT HONEY FROM THE PRC OR PRODUCTS OF A THIRD COUNTRY CONTAINING SUBJECT HONEY FROM THE PRC, REGARDLESS OF THE PERCENTAGE BLENDED, ARE ALSO SUBJECT TO PRICE AND QUANTITATIVE LIMITATIONS PURSUANT TO THE AGREEMENT.

3. MERCHANDISE SUBJECT TO THE AGREEMENT:

THE MERCHANDISE COVERED BY THIS AGREEMENT INCLUDES NATURAL HONEY, ARTIFICIAL HONEY CONTAINING MORE THAN 50 PERCENT NATURAL HONEY BY WEIGHT, AND PREPARATIONS OF NATRUAL HONEY CONTAINING MORE THAN 50 PERCENT NATURAL HONEY BY WEIGHT. THE SUBJECT PRODUCTS INCLUDE ALL GRADES AND COLORS OF HONEY WHETHER IN LIQUID, CREAMED, COMB, COMB CUT, OR CHUNK FORM, AND WHETHER PACKAGED FOR RETAIL OR IN BULK FORM. THE HONEY SUBJECT TO THIS AGREEMENT IS PROVIDED FOR UNDER SUBHEADINGS 0409.00.00, 1702.90.52, 1702.90.54, 1702.90.58, 2106.90.62, 2106.90.64, 2106.90.66, 2106.90.78, 2106.90.80, 2106.90.82, 2106.90.83, 2106.90.85, 2106.90.87, 2106.90.95, 2106.90.97, 2106.90.99 OF THE HARMONIZED TARIFF SCHEDULE (HTS). ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDINGS IS DISPOSITIVE.

4. CONDITIONS FOR ENTRY RELEASE:

ENTRY RELEASE SHALL BE PERMITTED FOR THE SUBJECT MERCHANDISE

INCLUDING ALL BLENDS, REGARDLESS OF THE PERCENTAGE BLENDED,
ONLY UPON PRESENTATION OF THE FOLLOWING DOCUMENTATION:

A) QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN

A QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN, ISSUED BY THE GOVERNMENT OF THE PRC MUST ACCOMPANY ALL IMPORTS OF SUBJECT HONEY EXPORTED DIRECTLY FROM THE PRC, EXPORTED FROM THE PRC THROUGH ONE OR MORE THIRD COUNTRIES, OR EXPORTED FROM A COUNTRY OTHER THAN THE PRC THAT RESULTED IN AN ARRANGEMENT INVOLVING THE EXCHANGE, SALE, OR DELIVERY OF HONEY PRODUCTS FROM THE PRC. THE QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN MUST BE STAMPED, SIGNED, AND DATED BY THE MINISTRY OF FOREIGN TRADE AND ECONOMIC COOPERATION (MOFTEC) IN BOX NUMBER 16, AND ISSUED NO EARLIER THAN ONE MONTH BEFORE THE DAY, MONTH, AND YEAR ON WHICH THE MERCHANDISE IS ACCEPTED BY A TRANSPORTATION COMPANY, AS INDICATED BY THE BILL OF LADING OR A COMPARABLE TRANSPORTATION DOCUMENT.

THE QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN SHALL INCLUDE THE FOLLOWING INFORMATION: 1) QUOTA CERTIFICATE NUMBER OR CERTIFICATE OF ORIGIN NUMBER (BOX NUMBER 2),2) A COMPLETE DESCRIPTION OF THE PRODUCT EXPORTED (INCLUDING THE 10-DIGIT HTS CLASSIFICATION) (BOX NUMBER 10),3) QUANTITY EXPRESSED IN POUNDS (BOX NUMBER 11),4) TOTAL SALES VALUE (BOX NUMBER 13),5) UNIT VALUE (BOX NUMBER 12),6) DATE OF SALE (BOX NUMBER 3),7) SALES OR INVOICE NUMBER (BOX NUMBER 3),8) DATE OF EXPORT (BOX NUMBER 16),9) IMPORTER OF RECORD (BOX NUMBER 8),10) CUSTOMER (BOX NUMBER 8),11) CUSTOMER RELATIONSHIP (BOX NUMBER 8),12) QUOTA ALLOCATED TO EXPORTER (BOX NUMBER 11), AND 13) QUOTA REMAINING TO EXPORTER (BOX NUMBER 11). IF ANY OF THIS LANGUAGE IS NOT IN ENGLISH, THE QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN MUST BE ACCOMPANIED BY AN ENGLISH LANGUAGE TRANSLATION.

IF THE CUSTOMER/IMPORTER OF RECORD IN BOX NUMBER 8 OF THE

QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN DOES NOT MATCH THE IMPORTER OF RECORD ON THE CUSTOMS FORM 7501, THE IMPORTER OF RECORD MUST PROVIDE WRITTEN DOCUMENTATION FROM THE CUSTOMER/IMPORTER OF RECORD LISTED ON THE QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN IDENTIFYING THE IMPORTER OF RECORD ON THE CUSTOMS FORM 7501.

IF THE SUBJECT MERCHANDISE HAS BEEN BLENDED WITH MERCHANDISE FROM ANOTHER COUNTRY, THE IMPORTER OF RECORD MUST PROVIDE ENTRY DOCUMENTATION (I.E., COMMERCIAL INVOICE) THAT IDENTIFIES WHAT PERCENTAGE OF THE SUBJECT MERCHANDISE IS CONTAINED IN THE IMPORTED PRODUCT. THE QUANTITY LISTED ON THE QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN (BOX NUMBER 11) MUST BE EQUIVALENT TO THE QUANTITY OF PRC ORIGIN HONEY CONTAINED IN THE IMPORTED PRODUCT.

B) WRITTEN CERTIFICATION

FOR ALL IMPORTS OF SUBJECT MERCHANDISE COVERED BY THE AGREEMENT AND NOT ALREADY ACCOMPANIED BY A QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN, REGARDLESS OF THE STATED COUNTRY OF ORIGIN, THE U.S. CUSTOMS SERVICE SHALL REQUIRE ALL IMPORTERS OF RECORD TO SUBMIT A WRITTEN STATEMENT CERTIFYING THAT THE MATERIAL BEING IMPORTED WAS NOT OBTAINED UNDER ANY ARRANGEMENT, SWAP, EXCHANGE, OR OTHER TRANSACTION DESIGNED TO CIRCUMVENT THE AGREEMENT. THIS STATEMENT MUST BE PRESENTED AS A CONDITION OF PHYSICAL RELEASE OF THE MERCHANDISE.

C) SPECIAL INSTRUCTIONS

PLEASE NOTE THAT THE WORD "QUOTA" APPEARS IN THE SUSPENSION AGREEMENT AND IS ALSO USED THROUGHOUT THESE IMPLEMENTING INSTRUCTIONS. HOWEVER, FOR CUSTOMS ENTRY PURPOSES, THESE ENTRIES ARE NOT "QUOTA-TYPE" ENTRIES BECAUSE THEY WILL NOT BE PROCESSED THROUGH THE CUSTOMS ACS QUOTA MODULE. THEREFORE, DO NOT USE ENTRY TYPE CODES 02,07,32,38 IN BOX 2 OF THE CF 7501 (UNLESS THE ENTRY

TYPE CODE 07 OR 38 WOULD BE CORRECT). THERE IS NO QSUP INPUT FOR ENTRIES OF HONEY FROM THE PRC. THE QUANTITY OF HONEY FROM THE PRC WILL NOT BE REPORTED ON THE CUSTOMS WEEKLY QUOTA STATUS REPORTS.

5. FORWARDING OF IMPORT DOCUMENTATION FOR SHIPMENTS SUBJECT TO QUOTA CERTIFICATE/CERTIFICATE OF ORIGIN REQUIREMENTS:

CUSTOMS MUST FORWARD ALL COPIES OF REQUIRED ENTRY DOCUMENTS AND THE CUSTOMS FORM 7501 (I.E., A COPY OF THE COMPLETE ENTRY PACKAGE IN ADDITION TO THE ORIGINAL QUOTA CERTIFICATES/CERTIFICATES OF ORIGIN) FOR THE MERCHANDISE COVERED BY THE AGREEMENT BI-MONTHLY TO:

THE OFFICE OF AGREEMENTS COMPLIANCE, ROOM 7866
IMPORT ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE
14TH AND CONSTITUTION AVE., N.W.
WASHINGTON, DC 20230
ATTENTION: HONEY PROGRAM

6. DISCONTINUE SUSPENSION OF LIQUIDATION:

THE U.S. CUSTOMS SERVICE SHALL DISCONTINUE SUSPENSION OF LIQUIDATION OF ANY ENTRIES OF SUBJECT HONEY FROM THE PRC. ANY CASH DEPOSITS OF ENTRIES OF SUBJECT HONEY FROM THE PRC PURSUANT TO THE DEPARTMENT'S SUSPENSION OF LIQUIDATION INSTRUCTIONS EFFECTIVE ON MARCH 20 SHALL BE REFUNDED AND ANY BONDS SHALL BE RELEASED.

7. QUESTIONS:

IF CUSTOMS OFFICERS HAVE ANY QUESTIONS REGARDING THESE INSTRUCTIONS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT LISA YARBROUGH OR JAMES DOYLE OF THE OFFICE OF

AGREEMENTS COMPLIANCE AT (202) 482-3208 OR (202)482-0172,
RESPECTIVELY, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party